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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/681,519      | 04/22/2001  | Derrick T. Babb      |                     | 4627             |

28686 7590 03/18/2005

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| EXAMINER |
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WINDER, PATRICE L

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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2145

DATE MAILED: 03/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/681,519

**Applicant(s)**

BABB, DERRICK T.

**Examiner**

Patrice Winder

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 April 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1 is/are rejected.  
7) ☒ Claim(s) 1 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities: improper form, i.e. more than one sentence indicated by more than one period. A properly written claim is a single sentence. Appropriate correction is required.
2. Claim 1 is objected to because of the following informalities: "I claim" is recited in the claim language. "I claim" can be a sub-heading under the title "Claims" but must not be recited in the claim itself. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant's specification lacks description of the "Matrix Network Control System". The specification does not provides no insight as to network the Matrix Naming Structure is incorporated into or the control system that coordinates interaction with the Matrix Naming Structure.

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5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite in that it fails to point out what is included or excluded by the claim language. This claim is an omnibus type claim. The following language renders the claim 1 an omnibus type claim "outlined in this patent [application] as my invention".

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

9. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ryan, USPN 6,412,014 B1 (hereafter referred to as Ryan) in view of Weider et al., USPN 6,374,253 B1 (hereafter referred to as Weider).

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10. Regarding claim 1, Ryan taught a Matrix Network Control System and Matrix Naming Structure outlined in this patent application (abstract), the matrix naming structure (directory 7) specifically includes creating a matrix (dimension x = type of activity, dimension y = entity, column 5, lines 11-19), a collective structure containing sub-objects, that is represented by number(s), letter(s), or an alpha-numeric combination (directory 7, column 5, lines 20-23), separated by a space (separate by the space between lines), then combined with an identifying name, number, or alpha-numeric combination to form a root definition (column 5, lines 38-45);

wherein the naming structure also includes developing branches (column 4, lines 37-49) and forming aliases (column 5, lines 23-30); and

wherein Matrix Control System specifically includes developing a network structure using the Matrix Naming Structure (column 4, line 63 – column 5, line 5), including the development of a Global Matrix (column 3, lines 52-61). Ryan does not specifically teach the using delimiters “|” character and “@” character. However, Weider taught using the delimiters “|” and “@” (column 7, lines 22-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Weider’s delimiters in Ryan’s Internet Directory System would have provided Ryan’s system greater flexibility. The motivation would have been to increase the number of characters which can be prescribed delimiters.

***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Belissent et al., USPN 6,685,594 B1: taught when a message having a new domain name is received, a directory server creates a corresponding entry in a directory for every component that does not already exist in the directory;

b. William Wong, Accessing the Directory Database Using Distinguished Names: taught a Distinguished Name (DN) is a list of items, separated by commas, where each item is an attribute name followed by an equals sign (=) and a value; and

c. Timothy A. Howes, The Lightweight Directory Access Protocol: X.500 Lite: taught that in LDAP and X.500 directory services entries are arranged in a tree structure and divided among servers in a geographical and organizational distribution. Entries are named according to their position in this hierarchy by a distinguished name (DN).

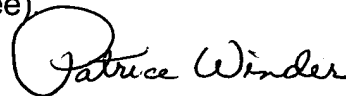
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571-272-6159. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "Patrice Winder". The signature is written in a cursive style with a large, looped initial "P".

Patrice Winder  
Primary Examiner  
Art Unit 2145

March 11, 2005